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EXAMINER
TRUONG, LECHI

ART UNIT	PAPER NUMBER
2194	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/691,334	DASGUPTA, ANINDA
	Examiner	Art Unit
	LECHI TRUONG	2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 February 2009</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-24</u> is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-24</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

DETAILED ACTION

1.   Claims 1-24 are presented for the examination.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

2.   Claims 1-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

       b. The claim language in the following claims is not clearly understood:

As to claims 1, 7, 13, 20, they are not clearly indicated what elements should be displayed on a monitor screen. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims **1, 2, 7-8, 13-14, 20-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA) in view of Chaney(US 7237198 B1).

       As to claim 1, APA teaches a digital audio playback device (DAPD) (digital audio playback devices (DAPD, page 1, In 9-15), a connected processing system (the PC, page 3, In 5-

23 to col 1-26), executing (executed, page 3, In 20- 24), the external interface (playback device,

page 3, In 5-23 to col 1-26), a user interface application program (a Ul software application, page

2, In 14-17/ a the program for controlling the connected user interface, page 3, In 20-23), a

memory (memory, page 1, In 15-18), storing (download, page 4, In 1-7), a X DAPD application

programming interface (API) (the libraries consists contain implementations of application

programming interfaces (API), page 4, In 1-15).

APA does not teach reverse DAPI API capable of external interface causing a processor

to access and control a user interface and displayed on a monitor screen associated with said

connected processing system. However, Chaney teaches reverse DAPI API capable of external

interface causing a processor to access and control a user interface and displayed on a monitor

screen associated with said connected processing system (the client computer 104,[playback

device]comprises a network interface 140, an electronic music player 144, a music renderer

controller 148, and device drivers 152A 152M., col 3, ln 55-61/ a music player for displaying

one or more graphical interfaces that comprise information about music items, wherein the music

player provides an application programming interface that enables device drivers to modify the

music player' s graphical user interface; a music renderer; and a device driver for sending music

items to the music renderer, wherein the device driver displays a graphical interface including at

least one control object for managing the music items, and wherein the control object is provided

by the device driver via the application programming interface,).

It would have been obvious to one of the ordinary skill in the art at the time the invention

was made to modifying the teaching APA with Chaney to incorporate the feature of reverse

DAPI API capable of external interface causing a processor to access and control a user interface

and displayed on a monitor screen associated with said connected processing system because this provides augmented or improved content with playback of DVD content because this gives the music renderer manufacturers flexibility to define what actions can be performed with respect to the music renderer(col 11, ln 7-18).

As to claim 2, Chaney teaches API comprises executable instruction communicates with and controls an operation of said user interface application program (col 11, ln 7-18)

As to claims 7, 13, 20, they are apparatus claim of claim 1; therefore, they are rejected for the same reason as claim 1 above.

As to claim 8, it is an apparatus claim of claim 2; therefore, it is rejected for the same reason as claim 2 above.

As to claim 14, API comprises executable instruction communication with and controlling an operation of the user interface application program (col 7, ln 5-10).

As to claim 21, it is apparatus claim of claim 14; therefore, it is rejected for the same reason as claim 14 above.

4.   Claim **15 is** rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA) in view of Chaney(US 7237198 B1), as applied to claim 1 above, and further in view of Smyers et al (US. Patent 5,991,520).

As to claim 15, APA and Chaney do not teach API comprises first data associated with a manufacturer of the digital audio playback device and wherein the step of executing the reverse DAPD includes using the first data to vary at least a portion of user interface. However, Smyers

teaches API comprises first data associated with a manufacturer of the digital audio playback

device and wherein the step of executing the reverse DAPD includes using the first data to vary

at least a portion of user interface (col 4, ln 1-5/ ln 37-41/ col 5, ln 33-42/ col 7, ln 45-50/ col 9,

ln 2-13/ ln 20-27), API comprises first data associated with a manufacturer of said digital audio

playback device (col 2, ln 20-30).

It would have been obvious to one of the ordinary skill in the art at the time the invention

was made to modify the teaching   APA and Chaney with Smyers to incorporate the feature of

comprises first data associated with a manufacturer of the digital audio playback device and

wherein the step of executing the reverse DAPD includes using the first data to vary at least a

portion of user interface because this allows automated generation of transactions necessary to

complete a data transfer with permitting a high degree of hardware automation, if needed by the

application.

5.   Claim **22** is rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior

art (APA)   in view of Chaney(US 7237198 B1), as applied to claim 13 above, and further in

view of Messer et al (US. Patent 6,762798 B1).

As to claim 22, APA and Chaney do not teach API, which identifies a manufacturer of

said digital audio playback device, and wherein said reverse DAPD API is capable of causing an

identity of the manufacturer to be displayed. However, Messer teaches API which identifies a

manufacturer of said digital audio playback device, and wherein said reverse DAPD API is

capable of causing an identity of the manufacturer to be displayed (calling the first method in

response to a specification of the set of parameters such that a video window is created with the

set of parameters when the video window generated at the destination position and according to

the scale factor is within the capabilities of the television and the display, col 11, ln 59-64).

It would have been obvious to one of the ordinary skill in the art at the time the invention

was made to combine the teaching of APA, Chaney with Messer to incorporate the feature of

API, which identifies a manufacturer of said digital audio playback device, and wherein said

reverse DAPD API is capable of causing an identity of the manufacturer to be displayed because

this enables a video window to be translated as well as scaled to accommodate a variety of

televisions.

6.   Claims **23-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted

Prior art (APA) in view of Chaney(US 7237198 B1), as applied to claim 13 above, in view of

Messer et al (US. Patent 6,762798 B1) and further in view of Smyers et al (US. Patent

5,991,520).

As to claims 23, 24, APA, Chaney and Messer do not teaches API is capable causing

said processor to access and control at least a portion of user interface to display said data in said

at least a portion of said user interface displayed on said monitor screen, API comprises first data

associated with a manufacturer of said digital audio playback device. However, Smyers teaches

API is capable causing said processor to access and control at least a portion of user interface to

display said data in said at least a portion of said user interface displayed on said monitor screen

(col 4, ln 1-5/ ln 37-41/ col 5, ln 33-42/ col 7, ln 45-50/ col 9, ln 2-13/ ln 20-27), API comprises first data associated with a manufacturer of said digital audio playback device (col 2, ln 20-30).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching APA, Chaney and Messer with Smyers to incorporate the feature of API is capable causing said processor to access and control at least a portion of user interface to display said data in said at least a portion of said user interface displayed on said monitor screen because this allows automated generation of transactions necessary to complete a data transfer with permitting a high degree of hardware automation, if needed by the application.

Allowable Subject Matter

7.   Claims 3-6, 9-12, 16-19 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272-3767. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR of Public PAIP. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIP

system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

/LeChi Truong/

Examiner, Art Unit 2194

LeChi Truong

April 27, 2009